

IN THE HIGH COURT OF KERALA AT ERNAKULAM

PRESENT :

THE HONOURABLE MR. JUSTICE V.RAMKUMAR

WEDNESDAY, THE 14TH MARCH 2007 / 23RD PHALGUNA 1928

Bail Appl.No. 1224 of 2007()

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CRIME NO. 400 OF 2001 OF PATHANAPURAM POLICE STATION

PETITIONER(ACCUSED NO.18)  
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A.ABDUL MAJEED  
S/O.M.AHAMED MEERAN SAHIB, MAJEEDIA HOUSE,  
PATHANAPURAM.

BY ADV. SRI.T.M.ABDUL LATHEEF

RESPONDENTS: (COMPLAINANT & STATE)  
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1. STATE OF KERALA, REPRESENTED BY THE  
PUBLIC PROSECUTOR, HIGH COURT OF KERALA,  
ERNAKULAM.
2. SUB INSPECTOR OF POLICE,  
PATHANAPURAM.

BY PUBLIC PROSECUTOR SRI.P.N. SUKUMARAN

THIS BAIL APPLICATION HAVING COME UP FOR ADMISSION  
ON 14/03/2007, THE COURT ON THE SAME DAY PASSED THE  
FOLLOWING:

**V. RAMKUMAR, J.**

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**Bail Application No. 1224 of 2007**  
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**DATED: 14<sup>th</sup> March 2007**

**O R D E R**

Petitioner who is the 18<sup>th</sup> accused in Crime No. 400 of 2001 (eventhough in the petition Crime number shown is 456/01 counsel for the petitioner agrees that the correct crime No. is 400/01) of Pathanapuram Police Station for offences punishable under Sections 143, 147, 148, 332, 324, 307, 427, 283 and 188 read with Sec. 149 I.P.C. and Sec. 3(2)(C) of Destruction of Public Property Act.

2. The learned Public Prosecutor opposed the application.

3. The case is now pending before the J.F.C.M. -III, Punalur as C.P. 92/2006. Admittedly, non-bailable warrants of arrest are pending against the petitioner. Anticipatory bail cannot be granted to nullify the process issued by a court of competent jurisdiction. There is no reason why the petitioner should not surrender before the J.F.C.M.-III, Punalur and seek regular bail. Accordingly, if the petitioner surrenders before the J.F.c.M.-III, Punalur and files an application for regular bail within two weeks from today, the same shall be considered and disposed of preferably on the same date on which it is filed after examining the grievance of the petitioner that he

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did not receive summons. Until such consideration, the warrants, if any, pending against the petitioner shall not be executed.

With the above observation this application is disposed of.

**V.RAMKUMAR, JUDGE.**

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